

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANDREW JOEY DELGADO,

Plaintiff,

v.

No. CV 15-676 WJ/CG


NEW MEXICO DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

**ORDER ADOPTING CHIEF MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

THIS MATTER is before the Court on the Chief Magistrate Judge's *Proposed Findings and Recommended Disposition* (the "PFRD"), (Doc. 98), filed August 29, 2018. In the PFRD, the Chief Magistrate Judge recommended that Plaintiff's *Motion to Suspend Summary Judgment*, (Doc. 79), be denied, Defendants' *Martinez Report and Motion for Summary Judgment*, (Doc. 65), be granted, and Plaintiff's *Prisoner's 1st Amended Civil Rights Complaint*, (Doc. 19), be dismissed with prejudice. (Doc. 98). The parties were notified that written objections to the PFRD were due within fourteen days. *Id.* No objections have been filed and the deadline of September 12, 2018 has passed. The recommendations of the Chief Magistrate Judge are therefore adopted by this Court.

IT IS THEREFORE ORDERED that Plaintiff's *Motion to Suspend Summary Judgment*, (Doc. 79), is **DENIED**, Defendants' *Martinez Report and Motion for Summary Judgment*, (Doc. 65), is **GRANTED**, and Plaintiff's *Prisoner's 1st Amended Civil Rights Complaint*, (Doc. 19), is **DISMISSED WITH PREJUDICE**.



THE HONORABLE WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE